

EXHIBIT

18

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

1
2
3 - - - - - x
4 BANK OF HOPE, as Successor to :Case No.
Wilshire Bank, :2:14-CV-01770-
5 :JLL-JAD
6 Plaintiff, :
7 - v. - :
8 MIYE CHON, a/k/a KAREN CHON; SUK :
JOON RYU, a/k/a James S. Ryu; TAE :
JONG KIM; BERGENFIELD BAGEL & CAFE, :
9 INC., d/b/a Cafe Clair; MAYWOOD :
BAGEL, INC.; UB'S PIZZA & BAGEL, :
10 INC.; and UBK BAGELS CORP., d/b/a :
Franklin Bagels & Cafe, :
11 Defendants, :
12 - - - - - x
13 SUK JOCN RYU, a/k/a James S. Ryu, : CONTINUED
14 Counterclaim Plaintiff, : DEPOSITION
15 - v. - : OF MIYE CHON
16 BANK OF HOPE, as Successor to : Danbury, CT
Wilshire Bank, :
17 Counterclaim Defendant. : Wednesday,
18 SUK JOCN RYU, a/k/a James S. Ryu, : March 14, 2018
19 Third-Party-Counterclaim :
Plaintiff, :
20 - v. - :
21 KWON HO JUNG, JAE WHAN YOO, STEVEN :
22 S. HOH and LISA PAI, :
23 Third-Party-Counterclaim : Reported by:
Defendants. : Joseph V. Connolly
24 - - - - - x
25 (Continued) Job No. 138181

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|--|---|
| <p style="text-align: right;">Page 138</p> <p>1 ----- X SUK JOCN RYU, a/k/a James S. Ryu, : 2 : Cross-Claim Plaintiff, : 3 : - v. - : 4 : MIYE CHON, a/k/a Karen Chon; TAE : 5 JONG KIM; BERGENFIELD BAGEL & CAFE, : INC., d/b/a Cafe Clair; MAYWOOD : 6 BAGEL, INC.; UB'S PIZZA & BAGEL, : INC.; UB'S BAGEL & CAFE, INC.; and : 7 UBK BAGELS CORP., d/b/a Franklin : Bagels & Cafe, : 8 : Cross-Claim Defendants. : 9 ----- X 10 11 12 13 CONTINUED 14 DEPOSITION OF MIYE CHON 15 Danbury, Connecticut 16 Wednesday, March 14, 2018 17 18 19 20 21 22 23 Reported by: 24 Joseph V. Connolly 25 Job No. 138181</p> | <p style="text-align: right;">Page 139</p> <p>1 2 3 4 5 March 14, 2018 6 12:14 p.m. 7 8 CONTINUED DEPOSITION OF MIYE CHON, held 9 at the Danbury Federal Correctional 10 Institution, 33 1/2 Pembroke Road, Pembroke 11 Station, Danbury, Connecticut, 06811, 12 recorded and transcribed by Joseph V. 13 Connolly, a Reporter and Notary Public. 14 15 16 17 18 19 20 21 22 23 24 25</p> |
| <p style="text-align: right;">Page 140</p> <p>1 APPEARANCES: 2 3 4 STEVE HARVEY LAW 5 Attorneys for Suk Joon Ryu 6 1880 John F. Kennedy Boulevard 7 Philadelphia, Pennsylvania 19103 8 BY: STEPHEN HARVEY, ESQ. 9 10 11 MATTHEW JEON 12 Attorneys for Deponent 13 2400 Lemoine Avenue 14 Fort Lee, New Jersey 07024 15 BY: MATTHEW JEON, ESQ. 16 17 18 LEE ANAV CHUNG WHITE KIM RUGER & RICHTER 19 Attorneys for Bank of Hope 20 99 Madison Avenue 21 New York, New York 10016 22 BY: MICHAEL YI, ESQ. 23 24 25</p> | <p style="text-align: right;">Page 141</p> <p>1 STIPULATION 2 3 4 IT IS HEREBY STIPULATED AND AGREED, 5 by and between counsel for the respective 6 parties herein, that filing and sealing be 7 and the same are hereby waived. 8 9 10 IT IS FURTHER STIPULATED AND AGREED 11 that all objections, except as to the form 12 of the questions, shall be reserved to the 13 time of the trial. 14 15 16 IT IS FURTHER STIPULATED AND AGREED 17 that the within deposition may be sworn to 18 and signed before any officer authorized 19 to administer an oath, with the same force 20 and effect as if signed to before the 21 Court, this examination shall be and the 22 same hereby waived. 23 24 25</p> |

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1 M. CHON
 2 (Time noted: 12:14 p.m.)
 3 (Ryu Exhibit 85, Court
 4 Transcript, so marked for
 5 identification, as of this date.)
 6 (Ryu Exhibit 86, FBI Record of
 7 Alicia Lee, so marked for
 8 identification, as of this date.)
 9 (Ryu Exhibit 87, FBI Record of
 10 Jin Hee Libene, so marked for
 11 identification, as of this date.)
 12 (Ryu Exhibit 88, FBI Record of
 13 Miye Chon, a/k/a Karen Chon, so marked
 14 for identification, as of this date.)
 15 (Ryu Exhibit 89, FBI Record of
 16 Karen Chon, so marked for
 17 identification, as of this date.)
 18 (Ryu Exhibit 90, Transcript of
 19 Federal Probation (USA -v- Miye Chon),
 20 so marked for identification, as of this
 21 date.)
 22 (Ryu Exhibit 91, USDC Consent
 23 Order, so marked for identification, as
 24 of this date.)
 25 (Ryu Exhibit 92, East Fort Lee

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1 M. CHON
 2 Investigation - Loss Summary, so marked
 3 for identification, as of this date.)
 4 (Ryu Exhibit 93, Cash Deposits &
 5 Loan Payments, 3/10/11-31/10/14, so
 6 marked for identification, as of this
 7 date.)
 8 H O N G P I L K I M,
 9 a Certified Interpreter, was duly sworn
 10 by a Notary Public to translate English
 11 into Korean and Korean into English on
 12 behalf of the Deponent and Counsel.
 13 M I Y E C H O H,
 14 a named Defendant herein, having been
 15 called to testify by the Defendant Ryu,
 16 pursuant to Notice, was duly sworn by a
 17 Notary Public and testified under oath,
 18 through an Interpreter, as follows:
 19 EXAMINATION
 20 BY MR. HARVEY:
 21 Q. We're here for the continuation
 22 of your deposition in this case.
 23 You understand that; right?
 24 A. Yes.
 25 Q. And, as you recall, we started

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1 M. CHON
 2 the deposition or we began to depose you in
 3 June, of 2016?
 4 A. Yes.
 5 Q. And before you, in front of you
 6 on the table, is Ryu Exhibit 85, which is a
 7 copy of the transcript of your deposition
 8 from June 23, 2016.
 9 (Handed to the witness.)
 10 Q. Do you see that exhibit in front
 11 of you?
 12 (Witness reviews the exhibit.)
 13 A. Yes.
 14 Q. Have you read that?
 15 A. No.
 16 Q. Have you had occasion to think
 17 about the testimony that you gave in June, on
 18 June 23, 2016?
 19 A. No.
 20 Q. Do you know if the testimony that
 21 you gave on June 23, 2016 was truthful and
 22 accurate?
 23 A. Yes.
 24 Q. And, to the best of your belief,
 25 it was truthful and accurate; is that

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1 M. CHON
 2 correct?
 3 A. Yes.
 4 Q. Do you recall attending a
 5 Sentencing Hearing before Judge Walls, in
 6 Federal Court in New Jersey, on October 25th,
 7 of 2016?
 8 A. Yes.
 9 Q. And do you recall that you made a
 10 statement to the Court on that occasion?
 11 A. What I said?
 12 Q. Yes.
 13 A. Yes.
 14 Q. And do you --
 15 A. But right now, I'm not sure
 16 exactly what I said.
 17 Q. All right. Do you recall, as
 18 well, that your attorney spoke to the Judge
 19 that day?
 20 A. I'm not exactly sure.
 21 Q. Okay. In front of you, what has
 22 been marked has Ryu Exhibit 90, is a copy of
 23 the transcript of the hearing, the Sentencing
 24 Hearing, on June -- excuse me -- October 25,
 25 2016.

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1 M. CHON
 2 (Witness reviews the exhibit.)
 3 A. Yes.
 4 Q. And I'd like you to pick that up
 5 and I want to ask you some questions about a
 6 statement that's on page 7 of that Exhibit
 7 No. 90.
 8 (Witness reviews the exhibit.)
 9 A. What was the page number?
 10 Q. Page 7.
 11 MR. YI: It's double-sided.
 12 MR. HARVEY: (Indicating).
 13 Q. Now I would like you to actually
 14 begin reading, on page -- you can start
 15 however far back you need, 5 or 6 -- but I
 16 wanted to ask you about this statement that's
 17 highlighted on the top of the page 7.
 18 A. Right now, do you want me to read
 19 it?
 20 Q. Yes, please.
 21 (Witness reviews the exhibit.)
 22 MR. JEON: Just for the record,
 23 she's using an Interpreter.
 24 I think the question is: Are you
 25 able to read it in English and

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1 M. CHON
 2 understand it?
 3 A. If you can translate?
 4 MR. HARVEY: Then I'll ask you a
 5 couple of questions.
 6 Q. Do you speak English?
 7 A. Not good.
 8 Q. Do you read English?
 9 A. Yes.
 10 Q. And do you understand English?
 11 Apart from speaking English, do you
 12 understand it?
 13 A. My understanding is not prefect.
 14 Q. Are you capable of reading that
 15 English or do you need the interpreter to
 16 translate it?
 17 MR. YI: Objection to form.
 18 (Witness reviews the exhibit.)
 19 A. If you can translate?
 20 Q. The question is: Are you capable
 21 of reading it in English and understanding
 22 it?
 23 (Witness reviews the exhibit.)
 24 A. I can read. I can read.
 25 Q. Well, do you see, on page 7 of

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1 M. CHON
 2 that transcript --
 3 MR. HARVEY: And You can
 4 translate my words into Korean,
 5 obviously.
 6 Q. -- that it says there, this is
 7 your counsel, Mr. Jeon speaking, quote, "Now,
 8 when she began to take these funds out, her
 9 immediate supervisor, Mr. Ryu, found out what
 10 was going on, confronted her and said, 'I
 11 need the same funds,' and began to pressure
 12 here to remove funds on his behalf. And she
 13 did so because there's -- we can explain the
 14 650,000. She's able to explain that amount.
 15 But she can't explain the balance."
 16 Do you see that, those words
 17 there?
 18 (Witness reviews the exhibit.)
 19 A. Yes.
 20 Q. And do you understand them, based
 21 on the translation from your Translator?
 22 MR. YI: Objection to form.
 23 A. Yes.
 24 MR. YI: I think it's an
 25 interpretation, by the way.

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1 M. CHON
 2 When we're talking about
 3 "translation," we're talking about an
 4 interpretation. There's nothing written
 5 here.
 6 Q. And do you recall your attorney
 7 saying that, at the hearing before Judge
 8 Walls, in October?
 9 A. I don't recall.
 10 Q. Well, do you recall that you were
 11 able to explain 650,000 of the missing,
 12 approximately, \$1.4 million?
 13 A. I don't recall.
 14 Q. Well, sitting here today, you
 15 know that -- do you know the total amount of
 16 funds that you took from accounts at Bank
 17 Asiana?
 18 A. No. I don't recall.
 19 Q. Do you know that you agreed to a
 20 Forfeiture Order of approximately \$1.4
 21 million?
 22 A. I don't recall.
 23 Q. Do you recall that the amount
 24 that you took was in excess of \$1,000,000.00
 25 A. I don't recall.

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M. CHON

Q. Do you recall, at your prior deposition, that you told Mr. Yi, in response to his questions, that the amount taken by you was, approximately, \$500,000.00 and that you gave, approximately, \$700,000.00 to James Ryu?

A. I don't recall.

MR. YI: Approximately.

THE WITNESS: I don't recall.

Q. Do you recall that -- I'll withdraw that question.

Do you recall that at your prior deposition you testified about the meeting, your first conversation with James Ryu, in which he, supposedly, told you that he had found out about certain transactions that you had committed?

A. I don't recall.

Q. Okay. Do you remember that -- would you tell us the first time that James Ryu talked to you about your stealing of money from Bank Asiana?

A. I don't recall.

Q. Did James Ryu ever talk to you

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M. CHON

about taking money or borrowing money from Bank Asiana through you?

A. I don't recall.

Q. Do you recall that you, in fact, did embezzle funds from Bank Asiana?

A. I recall I was forced to do it.

Q. Who "forced" you to do?

A. James Ryu.

Q. When did he force you to do it?

A. I don't recall.

Q. How did he force you to do it?

A. I don't recall.

Q. When did he force you to do it?

A. I don't recall.

Q. Do you recall any information, whatsoever, about how James Ryu supposedly forced you to embezzle funds from Bank Asiana?

A. Right now, I cannot recall anything.

Q. But you can recall that you embezzled funds; right?

A. I recall I was forced to.

Q. Okay. But you can't recall

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M. CHON

anything about how you were forced to; is that right?

A. I don't recall.

Q. Okay. And so, let's put aside how you were forced to.

Do you recall how you embezzled funds from Bank Asiana?

A. I don't recall.

Q. Do you recall that you embezzled funds from the account of someone who was a business colleague of your husband?

A. I don't recall.

Q. Do you recall that you borrowed -- that you embezzled funds from -- withdrawn.

Do you remember that you embezzled funds from the account of someone named Eunchul Paek; that's E-U-N-C-H-U-L, Paek, P-A-E-K?

A. I don't recall.

Q. Do you recall that you embezzled funds from the account of someone named Leonard Newman?

A. No, I do not.

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M. CHON

Q. Do you recall that you embezzled funds from the someone named Hyo Sim, H-Y-O, S-I-M?

A. I don't recall.

Q. Do you know who Eunchul Paek is?

A. Yes.

Q. Who is Eunchul Paek?

A. That's my husband's friend.

Q. Do you recall embezzling funds from the account of someone named Josephine Lin?

A. I do not, no.

Q. Do you recall embezzling funds from someone named Paul Lin?

A. I do not know.

MR. YI: Just to clarify the record, was there a response that she doesn't recall or that she doesn't know?

MR. INTERPRETER: She said that she doesn't know.

Q. Are you saying you don't know whether you did that or you don't recall doing that?

A. I don't recall.

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1 M. CHON
 2 Q. When you were working at Bank
 3 Asiana, you had access total vault without a
 4 second Teller being present.
 5 Isn't that correct?
 6 A. Can you repeat the question?
 7 MR. HARVEY: Sure.
 8 Q. When you were a Teller at Bank
 9 Asiana, you had access to the vault without a
 10 second Teller being present.
 11 Isn't that true?
 12 A. There was always a dual control.
 13 Q. But wasn't it the fact that it
 14 was possible for you to access the cash vault
 15 all by yourself, without a second Teller
 16 being present?
 17 A. It was always dual control.
 18 Q. I understand that "it was always
 19 dual control."
 20 But did you ever access the vault
 21 on your own, despite the rule being that you
 22 was required to be dual controlled?
 23 A. I do not recall.
 24 Q. Please turn to page 27 of the
 25 transcript in front of you.

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1 M. CHON
 2 A. I don't recall.
 3 Q. Who was your supervisor at Bank
 4 Asiana when you were working in the vault?
 5 A. I just can't recall the name
 6 right now.
 7 Q. There was a Branch Manager. It
 8 was a Branch Manager; right?
 9 A. Yes, a Branch Manager.
 10 Q. Someone with the last name of
 11 Suh, S-u-H?
 12 A. That's correct.
 13 Q. And is that a man or is that a
 14 woman?
 15 A. A man.
 16 Q. Did that person know that you, at
 17 any times, were taking money from Bank Asiana
 18 that you weren't supposed to be taking?
 19 A. I don't recall.
 20 Q. Do you know who someone by the
 21 name of Soryo Kim, S-O-R-Y-O, is?
 22 A. It's my sister-in-law.
 23 Q. And do you remember taking money
 24 out of her account?
 25 A. I don't recall.

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1 M. CHON
 2 A. (Witness complies).
 3 Q. It's the deposition transcript,
 4 which is this Deposition Exhibit 85.
 5 MR. JEON: What page?
 6 Q. Exhibit 85, page 27, lines 17 to
 7 20.
 8 MR. JEON: All right.
 9 A. On this page (indicating)?
 10 Q. (Indicating).
 11 A. This one?
 12 Q. Yes, the line numbers, lines 17
 13 through 20.
 14 (Witness reviews the exhibit.)
 15 Q. Do you see what's stated there on
 16 page 27, lines 17 through 20?
 17 A. Yes.
 18 Q. Do you recall giving that
 19 testimony?
 20 (Witness reviews the exhibit.)
 21 A. I don't recall.
 22 Q. Does looking at that help you
 23 remember that, in fact, you did have access
 24 to your own, despite there being a dual
 25 personnel requirement?

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1 M. CHON
 2 Q. Do you ever have any
 3 conversations with her about taking money out
 4 of her account?
 5 A. I don't recall.
 6 Q. Do you remember any
 7 conversations, at all, with James Ryu about
 8 taking money or anything relating to taking
 9 money from Bank Asiana?
 10 A. I don't recall.
 11 Q. Do you recall ever giving James
 12 Ryu any money at Bank Asiana?
 13 A. Yes.
 14 Q. And what do you recall about
 15 that?
 16 A. All I recall is I gave the money.
 17 Q. How much money did you give to
 18 him?
 19 A. I don't recall.
 20 Q. How many times did you give him
 21 money?
 22 A. I don't recall.
 23 Q. Was there anybody there when you
 24 gave him the money?
 25 A. I don't recall.

| | |
|--|--|
| <p style="text-align: right;">Page 158</p> <p>1 M. CHON</p> <p>2 Q. Did you tell anybody that you</p> <p>3 were giving him the money?</p> <p>4 A. I don't recall.</p> <p>5 Q. Did your husband know that you</p> <p>6 were giving him the money?</p> <p>7 A. My husband has nothing to do with</p> <p>8 it.</p> <p>9 I do not know.</p> <p>10 Q. Why did you give James Ryu the</p> <p>11 money?</p> <p>12 A. I don't recall.</p> <p>13 Q. How many times did you give him</p> <p>14 the money?</p> <p>15 A. I don't recall.</p> <p>16 Q. Where did you get the money from?</p> <p>17 A. I don't recall.</p> <p>18 Q. Please turn to page 37 of that</p> <p>19 transcript that's in front of you.</p> <p>20 A. (Witness complies).</p> <p>21 Q. Lines 13 through 17.</p> <p>22 (Witness reviews the exhibit.)</p> <p>23 A. Yes.</p> <p>24 Q. Do you see what's written there</p> <p>25 at line 13 to 17, of page 37?</p> | <p style="text-align: right;">Page 159</p> <p>1 M. CHON</p> <p>2 A. (No response).</p> <p>3 Q. Did you understand the question?</p> <p>4 A. I don't understand what it is.</p> <p>5 Q. All right. Do you see the words</p> <p>6 that are written there?</p> <p>7 A. Yes.</p> <p>8 Q. Lines 13 through 17?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember giving that</p> <p>11 testimony?</p> <p>12 (Witness reviews the exhibit.)</p> <p>13 A. I don't recall.</p> <p>14 Q. Do you remember testifying, at</p> <p>15 your last deposition, that other people knew</p> <p>16 about the fact that you were making</p> <p>17 unauthorized withdrawals from the Paek and</p> <p>18 Kim accounts?</p> <p>19 (Witness reviews the exhibit.)</p> <p>20 A. I don't recall.</p> <p>21 Q. Do you ever remember speaking to</p> <p>22 James Ryu on the telephone?</p> <p>23 A. I don't recall.</p> <p>24 Q. Do you ever recall speaking to</p> <p>25 him in person?</p> |
| <p style="text-align: right;">Page 160</p> <p>1 M. CHON</p> <p>2 A. I don't recall.</p> <p>3 Q. Not even one -- can you not even</p> <p>4 recall one time about speaking to James Ryu</p> <p>5 in person?</p> <p>6 A. I don't recall.</p> <p>7 Q. Do you remember meeting with</p> <p>8 Irene Lee and Bo Young on or about January</p> <p>9 22nd, of 2014?</p> <p>10 A. Yes.</p> <p>11 Q. And do you remember why you met</p> <p>12 with them?</p> <p>13 A. Yes.</p> <p>14 Q. And why was that?</p> <p>15 A. I think I talked about this case.</p> <p>16 Q. And what did you talk about --</p> <p>17 what did you tell them about this case?</p> <p>18 A. I don't recall.</p> <p>19 Q. And do you remember meeting them</p> <p>20 the following day, on January 23rd, except</p> <p>21 this time there was a woman named Alyssa Lee,</p> <p>22 and she was also present? Do you remember</p> <p>23 that?</p> <p>24 A. I don't recall.</p> <p>25 Q. Do you recall meeting with agents</p> | <p style="text-align: right;">Page 161</p> <p>1 M. CHON</p> <p>2 from the FBI, who came to your house on or</p> <p>3 about January 30th, of 2014?</p> <p>4 A. Yes.</p> <p>5 MR. HARVEY: I'm going to correct</p> <p>6 that.</p> <p>7 Q. I believe the date the day of</p> <p>8 that was February 7th and not January 30th.</p> <p>9 A. I'm not sure about the date.</p> <p>10 Q. But you remember the first</p> <p>11 meeting that you had with FBI Agents?</p> <p>12 A. Yes.</p> <p>13 Q. And do you remember that they</p> <p>14 came to your house?</p> <p>15 A. Yes.</p> <p>16 Q. And do you remember admitting to</p> <p>17 them that you had stolen money from Bank</p> <p>18 Asiana?</p> <p>19 A. I don't recall.</p> <p>20 Q. Do you remember -- withdrawn.</p> <p>21 I'm going to hand you that has</p> <p>22 been marked as Deposition Exhibit Ryu 88.</p> <p>23 (Handed to the witness.)</p> <p>24 Q. Ms. Chon, this is a document that</p> <p>25 we obtained from the Government, through your</p> |

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1 M. CHON
 2 attorney, Mr. Jeon, with his assistance. It
 3 has been marked as Ryu Exhibit 88.
 4 (Witness reviews the exhibit.)
 5 MR. HARVEY: It appears that it
 6 has previously marked as Ryu Exhibit 20.
 7 It's the same document.
 8 Q. Have you ever seen this document
 9 before?
 10 A. No.
 11 Q. Well, if you look at the second
 12 page of this document, there's some
 13 highlighted language there.
 14 (Witness reviews the exhibit.)
 15 MR. HARVEY: I'll read it and the
 16 Translator can interpret it.
 17 Q. "Chon immediately admitted that
 18 she had acted alone. Chon stated that
 19 she had been stealing money from the
 20 Bank for approximately 2 to 3 years."
 21 (Witness reviews the exhibit.)
 22 Q. Do you see those words?
 23 A. Yes.
 24 Q. And do you remember telling the
 25 FBI Agents that?

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1 M. CHON
 2 was involved," on pages 4 and 5 of this Ryu
 3 Exhibit 88.
 4 Did you understand those words?
 5 A. Yes.
 6 Q. And did you -- do you recall
 7 saying any of that to the FBI?
 8 A. I don't recall.
 9 Q. You don't recall any part of it;
 10 is that correct?
 11 A. I don't recall.
 12 Q. Did James Ryu pressure you into
 13 embezzling money?
 14 A. I don't recall.
 15 Q. You just recall that you gave him
 16 some money. That's the only thing that you
 17 can recall?
 18 MR. YI: I would object to the
 19 form.
 20 A. All I recall was I was forced to
 21 do it.
 22 Q. "Forced to do" what?
 23 A. Excuse me?
 24 Q. "Forced to do" what?
 25 A. Embezzlement.

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1 M. CHON
 2 A. I don't recall.
 3 Q. Okay. If you would turn to the
 4 fourth page of this exhibit, please, this
 5 memo (indicating)?
 6 A. (Witness complies).
 7 Q. And if you would look down to the
 8 fourth full paragraph, which is highlighted,
 9 and it begins with the words "James Ryu was
 10 not involved."
 11 (Witness reviews the exhibit.)
 12 Q. There's three paragraphs there
 13 that begin with the words "James Ryu was not
 14 involved."
 15 Do you understand the Translator
 16 to interpret those paragraphs for you or can
 17 you read them yourself?
 18 (Witness reviews the exhibit.)
 19 A. I need a translation.
 20 (Translated.)
 21 Q. Ms. Chon, the Interpreter has now
 22 just read to you, interpreted into Korean,
 23 the words, the three paragraphs that begins
 24 with the words "James Ryu was not involved,"
 25 all the way through to the words "James Ryu

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1 M. CHON
 2 Q. And how were you forced to do
 3 that?
 4 A. I don't recall.
 5 Q. Let's take a look now back at
 6 Exhibit Ryu No. 90.
 7 (Handed to the witness.)
 8 Q. And if you would you turn to page
 9 11 of that document?
 10 A. (Witness complies).
 11 Q. And do you see -- are you now on
 12 page 11?
 13 A. Yes.
 14 Q. Do you see on page 11, at line 8,
 15 the Court asks if you want to be heard and
 16 then you make a statement, that begins at
 17 page 18 and then continues onto the next
 18 page, which is page 12, all the way through
 19 line 16.
 20 Would you take a look at those,
 21 which is page 11, line 18, through page 12,
 22 line 16. That's a statement that you gave.
 23 I want you to read it because I want to ask
 24 you some questions about that.
 25 A. Yes.

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1 M. CHON
 2 (Witness reviews the exhibit.)
 3 Q. And are you reading that,
 4 Ms. Chon?
 5 A. Yes.
 6 Q. Okay.
 7 (Witness reviews the exhibit.)
 8 Q. Have you had a chance to read
 9 through those words?
 10 A. A chance to read it right now?
 11 Q. Yes. Did you read those right
 12 now?
 13 A. Yes.
 14 Q. And did you understand those
 15 words?
 16 A. Could you translate for me
 17 (indicating)?
 18 Q. I'd ask you --
 19 MR. YI: I don't want you to use
 20 the word "translate" because there's
 21 nothing written in Korean.
 22 INTERPRETER: I'm translating it;
 23 not interpreting it.
 24 MR. YI: To me "translation" is a
 25 written translation of an English

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1 M. CHON
 2 document.
 3 We don't have that.
 4 INTERPRETER: Per the
 5 Interpreter: My understanding is
 6 "translation" is when you do the written
 7 document and then speak the word.
 8 MR. YI: Okay.
 9 INTERPRETER: That's the way I
 10 understand it.
 11 MR. YI: Okay.
 12 INTERPRETER: It doesn't matter.
 13 I'll use the word.
 14 MR. JEON: For the record, the
 15 words "translate" and "interpret" are
 16 being simultaneously used and should be
 17 held apart.
 18 A. Okay; I'm fine. I understand.
 19 Q. And so, you've seen the words in
 20 English and you understand them; is that
 21 right?
 22 (Witness reviews the exhibit.)
 23 A. Yes.
 24 Q. And do you remember saying these
 25 words?

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1 M. CHON
 2 (Witness reviews the exhibit.)
 3 A. I don't recall.
 4 Q. Do you recall that you gave a
 5 statement, that day, to the Court?
 6 A. I don't recall.
 7 Q. So, you don't recall whether you
 8 gave this statement here, that's on pages --
 9 that we've just looked at -- page 11, line
 10 18, through page 12, line 16. You don't know
 11 whether you gave that statement or not.
 12 Is that true?
 13 A. I don't recall.
 14 Q. Do you recall if you made any
 15 part of this statement?
 16 (Witness reviews the exhibit.)
 17 A. I don't recall.
 18 Q. Do you recall that you embezzled
 19 all of the funds because of James Ryu or just
 20 some of the funds were embezzled because of
 21 James Ryu?
 22 A. I don't recall.
 23 Q. Do you recall that you were
 24 embezzling funds and then James Ryu caught
 25 you?

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1 M. CHON
 2 A. I don't understand.
 3 Q. Do you recall that James Ryu
 4 somehow caught you embezzling funds at Bank
 5 Asiana?
 6 MR. YI: Objection to form.
 7 A. That didn't happen.
 8 Q. Did James Ryu find out that you
 9 were embezzling funds at Bank Asiana?
 10 A. I think that question is wrong.
 11 Q. Why is the question "wrong"?
 12 A. I embezzled the money because I
 13 was forced to.
 14 Q. "Forced to" by James Ryu; is that
 15 right?
 16 A. Yes.
 17 Q. And you embezzled all of the
 18 funds because you were forced to by James
 19 Ryu.
 20 Isn't that true?
 21 MR. YI: Objection to the form.
 22 A. I don't recall.
 23 Q. And you don't recall if the
 24 amount, the amount you embezzled was, do you
 25 remember if the amount you embezzled was more

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1 M. CHON
 2 than \$10,000.00?
 3 A. Yes.
 4 Q. How much more than 10,000?
 5 A. I don't recall.
 6 Q. Could it have been that you
 7 embezzled \$50,000.00, in total?
 8 A. I don't recall.
 9 Q. So, it might have been as little
 10 as \$50,000.00 that you embezzled. You just
 11 don't know?
 12 A. I don't recall.
 13 Q. Did you keep any of the money
 14 that you embezzled for yourself?
 15 A. I don't recall.
 16 Q. Did you use any of the money that
 17 you embezzled to pay debts of your husband's
 18 businesses?
 19 A. I don't recall.
 20 Q. Do you know where the money that
 21 you embezzled, where any of that money is
 22 today?
 23 A. I don't recall.
 24 Q. Did your husband have some
 25 businesses that failed?

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1 M. CHON
 2 A. Yes.
 3 Q. What were those businesses?
 4 A. What kind of business?
 5 Q. Yes. What were they? What were
 6 the names of the businesses?
 7 A. I do not know. I don't recall.
 8 Q. Did you use any of the money that
 9 you embezzled to pay any debts?
 10 A. I don't recall.
 11 Q. Do you recall that you had, not
 12 one, but two meetings with the FBI?
 13 A. I don't recall.
 14 Q. Do you recall being at a meeting
 15 with an Assistant U.S. Attorney by the name
 16 of Paul Murphy?
 17 A. Yes.
 18 Q. And do you recall, at that
 19 meeting, telling him that James Ryu had --
 20 that you had given the money that you
 21 embezzled to James Ryu?
 22 A. I don't recall.
 23 Q. Earlier you said that James Ryu
 24 did not catch you embezzling.
 25 Isn't that right?

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1 M. CHON
 2 A. I don't understand your question.
 3 Q. Just a few minutes ago I asked
 4 you if James Ryu had caught you embezzling
 5 and you said James Ryu did not catch you
 6 embezzling.
 7 MR. JEON: Objection.
 8 I thought she said, "I don't
 9 know."
 10 MR. HARVEY: The Witness can
 11 answer.
 12 A. I don't recall what I said.
 13 Q. Okay. Well, did James Ryu catch
 14 you embezzling?
 15 A. I don't recall.
 16 Q. Is it possible that James Ryu was
 17 involved with the -- in the embezzlement with
 18 you from the very beginning?
 19 MR. YI: Objection to the form.
 20 A. Can you repeat the question?
 21 MR. HARVEY: Sure.
 22 Q. Is it possible that James Ryu was
 23 involved with you in embezzling funds from
 24 Bank Asiana from the moment when you began
 25 embezzling funds from Bank Asiana?

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1 M. CHON
 2 MR. YI: Objection to form.
 3 A. I was forced to do it.
 4 Q. Were you "forced to do it" from
 5 the very outset?
 6 A. Yes.
 7 Q. But you don't recall anything
 8 about how he forced you to do it; is that
 9 correct?
 10 A. I don't recall.
 11 Q. Please take a moment to look at
 12 Ryu Exhibit 89, which is not yet in front of
 13 you.
 14 (Handed to the Witness.)
 15 MR. YI: Off-the-record.
 16 (Off-the-record discussion.)
 17 MR. HARVEY: Counsel has just
 18 asked for a short break. We'll take one
 19 at this time.
 20 MR. YI: Thank you.
 21 (Recess: 1:02 p.m.)
 22 * * *
 23 (Time noted: 1:06 p.m.)
 24 MR. HARVEY: All right; let's
 25 continue.

1 M. CHON
 2 Before I get into that, I'll just
 3 get a little background.
 4 EXAMINATION
 5 BY MR. HARVEY:
 6 Q. A few minutes ago I asked you
 7 about a meeting that you had with some FBI
 8 Agents, outside your house, when you stepped
 9 into their car.
 10 Do you remember that?
 11 MR. YI: Objection to the form.
 12 A. The meeting with the FBI?
 13 Q. Yes.
 14 A. Yes.
 15 Q. And you don't recall telling them
 16 that you were engaged in embezzlements; or
 17 that James Ryu was involved.
 18 You don't recall that; is that
 19 right?
 20 MR. YI: Objection to form.
 21 A. I don't recall.
 22 Q. Okay. Can you recall anything
 23 about that meeting with the Agents?
 24 A. I don't recall.
 25 Q. And do you remember talking to

1 M. CHON
 2 the Agents about money that you had, that
 3 money was from a "GAE," G-A-E, that you were
 4 involved in?
 5 MR. YI: GAE.
 6 MR. HARVEY: GAE.
 7 A. I don't recall.
 8 MR. YI: Can we go
 9 off-the-record?
 10 (off-the-record discussion.)
 11 A. I don't recall.
 12 Q. Are you familiar with the concept
 13 of a "GAE"?
 14 A. Yes.
 15 Q. What is a "GAE"?
 16 A. About "GAE"?
 17 Q. Yes.
 18 A. Well, you're paying the money
 19 monthly.
 20 I don't know how to explain.
 21 Q. It's an investment, where a group
 22 of people get together and exchange money or
 23 share money for investment purposes,
 24 generally speaking?
 25 MR. YI: Objection.

1 M. CHON
 2 MR. JEON: Objection.
 3 Is that a question?
 4 MR. HARVEY: Yes.
 5 I'm asking her if that's what her
 6 understanding is of what that is.
 7 A. No.
 8 Q. Okay. Have you ever been
 9 involved with any GAE's?
 10 A. Yes.
 11 Q. How many times?
 12 A. I don't recall.
 13 Q. More than five?
 14 A. I don't recall.
 15 Q. How about in the years of 2010 to
 16 2013, were you involved in any GAE's during
 17 that time period?
 18 A. I don't recall.
 19 Q. Do you recall any GAE's that you
 20 were involved in, at any point in your life?
 21 A. I don't recall.
 22 Q. Do you recall the names of any
 23 people who were involved with you in any
 24 GAE's at any point in your life?
 25 A. No, I do not.

1 M. CHON
 2 MR. JEON: Excuse me.
 3 How are you spelling this; G-U-Y?
 4 MR. YI: G-A-E.
 5 (Off-the-record discussion.)
 6 Q. So, do you recall that, after
 7 meeting with FBI Agents outside your house,
 8 you had a second meeting with the FBI?
 9 MR. YI: Objection to the form.
 10 A. I don't recall.
 11 Q. Do you recall being at a meeting
 12 with your attorney, Matthew Jeon, and
 13 somebody from, some people from the FBI, as
 14 well as from the Department of Justice?
 15 MR. JEON: Objection.
 16 As to when?
 17 A. I don't recall.
 18 Q. You don't recall ever being at a
 19 meeting with your attorney and any FBI Agents
 20 or United States Attorneys; is that correct?
 21 A. I don't recall.
 22 Q. Please take a moment to look at
 23 Ryu Exhibit 89, which is in front of you
 24 there.
 25 (Handed to the witness.)

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1 M. CHON
 2 Q. I'm going to ask you to now look
 3 at page 2.
 4 (Witness reviews the exhibit.)
 5 Q. And there's a paragraph, which is
 6 the fourth full paragraph, beginning with the
 7 words "Chon said she lied."
 8 (Witness reviews the exhibit.)
 9 Q. Do you see that paragraph?
 10 A. Yes.
 11 Q. And have you had a chance to read
 12 it?
 13 (Witness reviews the exhibit.)
 14 A. Not yet.
 15 (Witness reviews the exhibit.)
 16 Q. Have you had a chance to read it
 17 now?
 18 A. Yes, I just read it.
 19 Q. Do you remember saying that to
 20 the FBI Agents at any point in time?
 21 (Witness reviews the exhibit.)
 22 A. I don't recall.
 23 Q. Do you remember anything you ever
 24 said to any FBI Agents?
 25 A. I don't recall.

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1 M. CHON
 2 Q. When was that?
 3 A. I don't recall.
 4 Q. How long did you stay?
 5 A. I don't recall.
 6 Q. Where did you stay?
 7 A. I don't recall.
 8 Q. What did you do when you were
 9 there?
 10 A. I don't recall.
 11 Q. Do you recall anything about your
 12 trip to the Caymen Islands?
 13 A. It was a vacation.
 14 Q. Do you remember anything else,
 15 other than that it was a vacation? Anything,
 16 at all?
 17 A. I don't recall.
 18 Q. Did you visit any banks when you
 19 were in the Caymen Islands?
 20 A. No.
 21 Q. Did you visit any lawyers when
 22 you were in the Caymen Islands?
 23 A. No.
 24 Q. Did you visit any businesses when
 25 you were in the Caymen Islands?

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1 M. CHON
 2 Q. Do you remember that you lied to
 3 the FBI Agents at any point?
 4 A. I never lied.
 5 Q. At any point in time you never
 6 lied; is that correct?
 7 A. I don't recall.
 8 Q. So, you may have lied or you may
 9 not have lied; you just can't recall.
 10 Is that correct?
 11 A. No, I do not recall.
 12 Q. Now, two paragraph down it says,
 13 "Chon visited the Caymen Islands, on a family
 14 trip, with her husband and child. No bank
 15 accounts were opened and no money was taken
 16 to the bank."
 17 Do you see those words?
 18 (Witness reviews the exhibit.)
 19 A. Yes.
 20 Q. Do you remember ever telling that
 21 to any FBI Agents?
 22 A. I don't recall.
 23 Q. Is it true that you visited the
 24 Caymen Islands with your husband and child?
 25 A. Yes.

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1 M. CHON
 2 A. No.
 3 Q. Would you please turn to page 3
 4 of 3 of this Ryu Exhibit 89?
 5 A. (Witness complies).
 6 Q. There's a highlighted paragraph
 7 that begins with the words "Tae Kyu Soh."
 8 (Witness reviews the exhibit.)
 9 Q. Would you please read that
 10 paragraph?
 11 (Witness reviews the exhibit.)
 12 Q. Have you had a chance to read
 13 that?
 14 A. Yes.
 15 Q. Do you remember telling the FBI
 16 Agents that the Branch Manager had said that
 17 there were problems in the past due to
 18 CD-to-CD Transfers?
 19 (Witness reviews the exhibit.)
 20 A. I don't recall.
 21 Q. Do you remember telling them that
 22 other banking employees could figure out your
 23 scheme to embezzle?
 24 A. I don't recall.
 25 Q. Putting aside whether you told

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1 M. CHON
2 that to the FBI or not, do you remember that
3 the Manager had said that there were problems
4 in the past due to CD-to-CD Transfers?
5 (Witness reviews the exhibit.)
6 A. I don't recall.
7 Q. Do you remember, at any point,
8 knowing that other employees could figure out
9 your scheme to embezzle?
10 A. I don't recall.
11 Q. Okay. Please take a moment now
12 and look at Ryu Exhibit 87.
13 (Handed to the witness.)
14 MR. HARVEY: Before I get to
15 there.
16 Q. You know Irene Lee; right?
17 A. Yes.
18 Q. Irene Lee worked at the Bank with
19 you; is that correct?
20 A. Yes.
21 Q. Irene Lee was your friend?
22 A. Yes.
23 Q. And you used to have lunch with
24 her?
25 A. Yes.

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1 M. CHON
2 questions about some of the statements in
3 here that Irene Lee says that you said.
4 MR. YI: Objection to the form.
5 Q. So, on the first page, there's
6 some highlighting at the bottom.
7 (Witness reviews the exhibit.)
8 Q. And it begins with the words
9 "Chon told Lee."
10 (Witness reviews the exhibit.)
11 Q. Would you please read that? You
12 might as well, please, just read the whole
13 paragraph, beginning with the words "in
14 January 2014," all the way through the end of
15 the paragraph, which is on page 2 of the
16 memo.
17 (Witness reviews the exhibit.)
18 Q. Have you had a chance to read
19 that?
20 A. Yes.
21 Q. Okay. So, on the first page it
22 says that -- well, first of all, do you
23 remember telling Irene Lee that you had
24 stolen the money from Bank Asiana by making
25 accounting changes in customers' CD Accounts

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1 M. CHON
2 Q. And it was Irene Lee who called
3 you on January 21, of 2014, and told you the
4 bank had some questions about some
5 transactions; right?
6 A. I don't recall.
7 Q. Well, you do recall that you --
8 because we talked about it earlier -- that
9 you had a meeting on the 22nd of January with
10 Irene Lee and Bo Young Lee; right?
11 A. Yes.
12 Q. Do you remember how that meeting
13 got setup?
14 A. No, I do not recall.
15 Q. Did you know that Irene Lee
16 talked to the FBI?
17 A. No, I do not know.
18 Q. This is an FBI memo that your
19 counsel -- that the FBI produced through your
20 counsel.
21 (Witness reviews the exhibit.)
22 Q. It's purporting to say what Irene
23 Lee said to the FBI.
24 MR. YI: Objection to the form.
25 Q. And I'm going to ask you some

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1 M. CHON
2 and then taking cash out of the vault?
3 A. I don't recall.
4 Q. Do you acknowledge that that is
5 true; that you did steal money from Bank
6 Asiana by making accounting changes and
7 taking cash out of the vault?
8 A. No.
9 Q. You didn't do that or you don't
10 remember?
11 A. No, I do not understand the
12 question.
13 Q. So, the question is: Did you
14 steal money from Bank Asiana by making
15 accounting changes and then taking cash out
16 of the vault?
17 A. I do not recall.
18 Q. So, you don't recall whether --
19 do you recall whether you ever stole any
20 money from the Bank, at all?
21 A. I do not recall.
22 Q. Do you recall telling Irene Lee,
23 as it says here on the bottom of this
24 highlighting, that you learned how to
25 embezzle from your former supervisor?

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1 M. CHON
 2 (Witness reviews the exhibit.)
 3 A. I do not recall.
 4 Q. It says, in the memo that we're
 5 looking at, that this supervisor showed Chon
 6 how to make the accounting changes needed to
 7 take the cash out of the bank's vault
 8 undetected.
 9 Do you say that?
 10 (Witness reviews the exhibit.)
 11 A. Yes.
 12 Q. Did you ever tell that to Irene
 13 Lee or anyone?
 14 A. I do not recall.
 15 Q. Did that ever happen? Did anyone
 16 ever show you how to make accounting changes
 17 to take cash out of the bank vault
 18 undetected?
 19 A. I do not recall.
 20 Q. The next sentence says, "The
 21 supervisor told Chon to embezzle the money
 22 and then give it all to him."
 23 Do you say that?
 24 (Witness reviews the exhibit.)
 25 A. Yes.

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1 M. CHON
 2 (Witness reviews the exhibit.)
 3 Q. Do you see those words?
 4 A. Yes.
 5 Q. Do you remember telling that to
 6 Irene Lee or anyone?
 7 A. I do not recall.
 8 Q. Did that happen?
 9 A. I do not recall.
 10 Q. The next sentence says, "Chon
 11 told Lee that she did not want to tell her
 12 the name of her boss because he has
 13 threatened her and she was afraid."
 14 (Witness reviews the exhibit.)
 15 Q. Do you see those words?
 16 A. Yes.
 17 Q. Did you ever tell that to Irene
 18 Lee or anyone?
 19 A. I do not recall.
 20 Q. Did that ever happen?
 21 A. I do not recall.
 22 Q. You recall that you had a meeting
 23 with James Ryu, on or about January 30th, at
 24 a diner in Fort Lee?
 25 A. I do not recall.

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1 M. CHON
 2 Q. Do you recall telling that to
 3 Irene Lee?
 4 A. I do not recall.
 5 Q. Do you recall telling that to
 6 anyone?
 7 A. I do not recall.
 8 Q. Did that happen?
 9 A. I do not recall.
 10 Q. If you'd go to the next sentence,
 11 where it says, "At first the supervisor said
 12 he would only take 10,000 out for a short
 13 time and then pay it all back."
 14 (Witness reviews the exhibit.)
 15 Q. Do you see those words there?
 16 A. Yes.
 17 Q. Do you remember saying that to
 18 Irene Lee or anyone?
 19 A. I do not recall.
 20 Q. Did that happen?
 21 A. I do not recall.
 22 Q. The next sentence says, "The
 23 supervisor never paid the money back and he
 24 demanded that Chon continue to give him
 25 money."

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1 M. CHON
 2 Q. Do you recall ever being at a
 3 diner with James Ryu?
 4 A. I do not recall.
 5 Q. Do you ever recall carrying a bag
 6 that had either a video or an audio recording
 7 device in it, that was given to you by the
 8 FBI, to a meeting with James Ryu?
 9 A. I do not recall.
 10 Q. Have you had anything happen to
 11 you that has caused your memory to become
 12 poor?
 13 A. I do not recall.
 14 Q. Are you on any medications that
 15 would affect your ability to recall?
 16 A. No, I do not.
 17 Q. Is your memory -- have you
 18 noticed that your memory is worse than it
 19 used to be?
 20 A. Yes.
 21 Q. When did that happen?
 22 A. I do not know.
 23 Q. Are you still married to your
 24 husband?
 25 A. Yes.

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1 M. CHON
 2 Q. Have you spoken to anybody about
 3 today's deposition?
 4 A. No.
 5 Q. Did you know that you were going
 6 to be deposed today?
 7 A. Yes.
 8 Q. How did you know that?
 9 A. How do I know?
 10 Oh, the Office Counsellor told
 11 me.
 12 Q. When was that?
 13 A. I do not know.
 14 Q. I'm going to hand you a document
 15 that has been marked as Ryu Exhibit 92.
 16 (Handed to the witness.)
 17 Q. Please take a moment to look at
 18 it.
 19 (Witness reviews the exhibit.)
 20 Q. Have you ever seen this document
 21 before?
 22 A. No.
 23 Q. Do you recognize any of the names
 24 on it?
 25 (Witness reviews the exhibit.)

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1 M. CHON
 2 Q. When did you begin your
 3 incarceration in prison?
 4 A. March.
 5 Q. Of what year?
 6 A. 2017.
 7 Q. Do you have any idea where --
 8 strike that. Withdraw that.
 9 Did you file for bankruptcy?
 10 A. Yes.
 11 Q. When did you do that?
 12 A. I do not know.
 13 Q. What's the status of that
 14 bankruptcy?
 15 A. I do not know.
 16 Q. Did you ever use any Bank
 17 Inter-office Memos to transfer money to James
 18 Ryu?
 19 MR. YI: Objection to the form.
 20 A. I don't recall.
 21 Q. Did James Ryu ever come to you,
 22 at the branch where you worked -- excuse me
 23 -- to receive funds from you?
 24 A. I do not recall.
 25 Q. Did you ever go to the branch or

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1 M. CHON
 2 A. I do not know. I do not, no.
 3 Q. Do you remember ever talking to
 4 James Ryu on the telephone?
 5 MR. YI: Objection; asked and
 6 answered.
 7 A. I don't recall.
 8 Q. Did you know that you were sued
 9 as a Defendant in this lawsuit by Wilshire
 10 Bank, which is now Bank of Hope?
 11 A. Yes.
 12 Q. And do you remember that you were
 13 sued initially in March, originally in March,
 14 of 2014?
 15 A. I do not know the date. But I
 16 know.
 17 Q. Do you recall that you denied, in
 18 your Answer to the Complaint, that you had
 19 engaged in embezzlement?
 20 A. I do not recall.
 21 Q. Do you remember that you pled
 22 guilty to the charges that were brought
 23 against you by the Federal Government and you
 24 did that in March, of 2016?
 25 A. I don't recall.

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1 M. CHON
 2 the office -- excuse me -- where he worked to
 3 give money to him?
 4 A. I do not recall.
 5 Q. Do you remember thinking that you
 6 might be caught and you were nervous?
 7 MR. YI: Objection to the form.
 8 A. I don't recall.
 9 Q. Did you ever have a meeting with
 10 the FBI where they asked you what happened to
 11 the money?
 12 A. I don't recall.
 13 Q. Did you pay Matthew Jeon as your
 14 attorney in this matter, in this case?
 15 A. Yes.
 16 Q. Where did you get that money
 17 from?
 18 A. I do not recall.
 19 Q. Do you remember how much you paid
 20 him?
 21 A. I do not recall.
 22 Q. What money is your family living
 23 on today?
 24 A. I do not know.
 25 Q. You have two children; is that

| | |
|--|---|
| <p style="text-align: right;">Page 194</p> <p>1 M. CHON</p> <p>2 right?</p> <p>3 A. Yes.</p> <p>4 Q. How old are they?</p> <p>5 A. Eleven and 4.</p> <p>6 Q. And they live with your husband</p> <p>7 now?</p> <p>8 A. (No response).</p> <p>9 MR. HARVEY: We can take a break</p> <p>10 now.</p> <p>11 MR. JEON: Thank you.</p> <p>12 (Recess: 1:35 p.m.)</p> <p>13 * * *</p> <p>14 (Time noted: 1:39 p.m.)</p> <p>15 EXAMINATION</p> <p>16 BY MR. HARVEY:</p> <p>17 Q. The question is: Your children</p> <p>18 are living with your husband; isn't that</p> <p>19 true?</p> <p>20 A. Yes.</p> <p>21 Q. Do you have any idea what funds</p> <p>22 or what money they're living on?</p> <p>23 A. I do not know.</p> <p>24 Q. Is your husband working?</p> <p>25 A. Yes.</p> | <p style="text-align: right;">Page 195</p> <p>1 M. CHON</p> <p>2 Q. Where does he work?</p> <p>3 A. In our store.</p> <p>4 Q. What "store" is that?</p> <p>5 A. A deli store.</p> <p>6 Q. Where's that deli store?</p> <p>7 A. Monclair, New Jersey.</p> <p>8 Q. Does it have a name?</p> <p>9 A. Cafe Clair.</p> <p>10 Q. Does he have any other source of</p> <p>11 income, other than working for or at Cafe</p> <p>12 Clair?</p> <p>13 A. No.</p> <p>14 MR. HARVEY: Please mark these as</p> <p>15 our next two exhibits.</p> <p>16 (Ryu Exhibit 94, Cross-claim</p> <p>17 Plaintiff Suk Joon Ryu's Combined Set of</p> <p>18 Interrogatories and Document Requests as</p> <p>19 to Cross-claim Defendant Miye Chon, so</p> <p>20 marked for identification, as of this</p> <p>21 date.)</p> <p>22 (Ryu Exhibit 95, Defendant Miye</p> <p>23 Chon's Response to Cross-claim Plaintiff</p> <p>24 Suk Joon Ryu's Combined set of</p> <p>25 Interrogatories and Document Requests,</p> |
| <p style="text-align: right;">Page 196</p> <p>1 M. CHON</p> <p>2 so marked for identification, as of</p> <p>3 this date.)</p> <p>4 (Handed to the Witness.)</p> <p>5 Q. Ms. Chon, the Court Reporter has</p> <p>6 just put in front of you what has been marked</p> <p>7 as Ryu Exhibit 94 and Ryu Exhibit 95.</p> <p>8 Exhibit 94 is a series of</p> <p>9 questions that we've asked and 95 is your</p> <p>10 Responses to those questions.</p> <p>11 If you'd look at the very last</p> <p>12 page of Exhibit 95, you'll see a signature</p> <p>13 there.</p> <p>14 (Witness reviews the exhibit.)</p> <p>15 Q. Is that your signature?</p> <p>16 A. Yes.</p> <p>17 Q. So, it appears that you provided,</p> <p>18 you swore to the truth of these Answers that</p> <p>19 were provided in Ryu Exhibit 95, which are</p> <p>20 Answers to the questions in Ryu Exhibit 94.</p> <p>21 A. Yes.</p> <p>22 Q. Now I'd like to ask you about</p> <p>23 your answer to Question No. 3.</p> <p>24 (Witness reviews the exhibit.)</p> <p>25 Q. Now, do you see that the Question</p> | <p style="text-align: right;">Page 197</p> <p>1 M. CHON</p> <p>2 No. 3 asks you to describe when, where and</p> <p>3 how Mr. Ryu aided and abetted you to do such</p> <p>4 conduct; specifically, remove sums of cash</p> <p>5 from the vault.</p> <p>6 (Witness reviews the exhibit.)</p> <p>7 Q. And you provided the Answer,</p> <p>8 which is on Ryu Exhibit 95, the Response to</p> <p>9 Interrogatory No. 3</p> <p>10 (Witness reviews the exhibit.)</p> <p>11 Q. Do you see the words that are</p> <p>12 written in there in response to Interrogatory</p> <p>13 No. 3, Ms. Chon?</p> <p>14 A. Yes.</p> <p>15 Q. Those are the words that you</p> <p>16 swore to, when you were signing it, were</p> <p>17 truthful; correct?</p> <p>18 A. I do not recall.</p> <p>19 Q. Let me ask you some questions.</p> <p>20 Was Mr. Ryu the Chief Operation</p> <p>21 Officer of the Headquarters in Palisades</p> <p>22 Park?</p> <p>23 (Witness reviews the exhibit.)</p> <p>24 A. Yes.</p> <p>25 Q. And he supervised the Operation</p> |

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1 M. CHON
 2 Department in Headquarters and every branch.
 3 Is that true?
 4 (Witness reviews the exhibit.)
 5 A. Yes.
 6 Q. But there was a Manager at the
 7 branch who directly supervised you.
 8 Isn't that true?
 9 A. I do not know.
 10 Q. You don't know² whether you had a
 11 Branch Manager?
 12 A. There was.
 13 Q. And didn't that Branch Manager
 14 directly supervise you?
 15 A. Yes.
 16 Q. And then the next sentence says,
 17 "One day Mr. Ryu interrogated Defendant on
 18 her task-related errors."
 19 Do you see that?
 20 (Witness reviews the exhibit.)
 21 A. Yes.
 22 Q. What are "task-related errors"?
 23 A. I do not recall.
 24 Q. Have you ever heard the phrase
 25 "task-related errors"?

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1 M. CHON
 2 A. I do not recall.
 3 Q. The next part of that paragraph
 4 says that "Defendant was already under
 5 significant amount of distress associated
 6 with micro-aggression at the workplace."
 7 Do you see those words?
 8 (Witness reviews the exhibit.)
 9 A. Yes.
 10 Q. Do you know what you meant by
 11 "micro-aggression at the workplace"?
 12 A. Yes.
 13 Q. What did you mean by that?
 14 A. I do not know.
 15 Q. I don't understand. I thought
 16 you just said that you did understand what
 17 that was.
 18 A. I don't know what this is about.
 19 Q. Do you remember anytime being in
 20 a significant amount of distress at Bank
 21 Asiana?
 22 A. I do not recall.
 23 Q. Do you remember ever being
 24 terrified by the fear of losing your
 25 position?

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1 M. CHON
 2 A. I do not recall.
 3 Q. The next sentence says, "In
 4 response, while comforting Defendant that he
 5 had the authority to rectify the errors,
 6 Mr. Ryu requested her to return the favor of
 7 sharing and securing funds for him."
 8 (Witness reviews the exhibit.)
 9 A. I do not recall.
 10 Q. And then the next sentence says,
 11 "Mr. Ryu further assured Defendant promotion
 12 and job security in exchange for the funds on
 13 various dates."
 14 Do you see that?
 15 (Witness reviews the exhibit.)
 16 A. I do not recall.
 17 Q. Okay. If you'd please look at
 18 the next one, which is the Response to
 19 Interrogatory No. 4?
 20 (Witness reviews the exhibit.).
 21 Q. Again, we have to look back at
 22 the other document for the Question, which
 23 was: "As alleged in the Plaintiff's
 24 Complaint, did you divert portions of the
 25 proceeds in the embezzlement to Ryu?"

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1 M. CHON
 2 "If yes, describe in detail."
 3 (Witness reviews the exhibit.)
 4 Q. And then you gave the Response to
 5 Interrogatory No. 4 that says. "Yes.
 6 Defendant hand-delivered money to Mr. Ryu
 7 regularly, using the occasions to meet him to
 8 submit documents for his review."
 9 (Witness reviews the exhibit.)
 10 MR. YI: I think there was a word
 11 "usually using."
 12 MR. HARVEY: I apologize. I
 13 mis-spoke. I, maybe, mis-read it.
 14 A. I do not recall.
 15 Q. Is says that you used the
 16 occasions to meet him to submit documents for
 17 his review.
 18 Did you ever go to his office,
 19 when you worked at Bank Asiana, to submit
 20 documents for review?
 21 A. I do not recall.
 22 Q. Do you ever recall going to his
 23 office, at all?
 24 A. I've been there.
 25 Q. How many times?

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1 M. CHON
 2 A. I do not recall.
 3 Q. And do you know why you went
 4 there?
 5 A. I do not recall.
 6 Q. Do you know what you did or said
 7 when you were there?
 8 A. I do not recall.
 9 Q. If you'd look at Answer No. 7?
 10 The question was -- and you see
 11 that in Ryu Exhibit 94 -- "As alleged in the
 12 Plaintiff's Complaint, have you and Mr. Ryu
 13 conspired together to perpetrate the
 14 embezzlement?"
 15 And then your answer was: "Yes.
 16 Refer to Interrogatory Response No. 3."
 17 (Witness reviews the exhibit.)
 18 Q. And the question is: Is it true,
 19 your Answer to No. 7, is it true that, yes,
 20 you and Mr. Ryu conspired together to
 21 perpetrate the embezzlement?
 22 A. I do not know.
 23 Q. Why don't you know?
 24 A. I do not know.
 25 Q. Can you provide any answer as to

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1 M. CHON
 2 we had another hour or an hour and 15
 3 minutes.
 4 MR. JEON: Let me just make a
 5 phone call.
 6 MR. HARVEY: Let's go on a break
 7 at this time.
 8 (Recess: 1:51 p.m.)
 9 * * *
 10 (Time noted: 1:55 p.m.)
 11 MR. HARVEY: We have to come back
 12 tomorrow. There's nothing we can do
 13 about that.
 14 (Recess: 1:56 p.m.)
 15 * * *
 16
 17 _____
 18 MIYE CHON
 19
 20 Subscribed and sworn to before me
 21 this ____ day of _____, 2018.
 22
 23 _____
 24 (Notary Public) MY COMMISSION EXPIRES: _____
 25

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1 M. CHON
 2 why you do not know?
 3 A. Would you please repeat the
 4 question again?
 5 MR. HARVEY: Yes.
 6 Q. I asked you whether this is true,
 7 this response to No 7, that says that -- it
 8 asks whether you and Mr. Ryu conspired
 9 together to perpetrate the embezzlement; and
 10 you said, "I don't know whether that's true
 11 or not."
 12 A. I was forced to.
 13 Q. Can you provide anymore
 14 information, other than your statement that
 15 you were forced to?
 16 A. I do not recall.
 17 MR. HARVEY: We're just about at
 18 2:00 o'clock right now. Mr. Jeon has to
 19 conclude.
 20 MR. JEON: Yes.
 21 MR. HARVEY: He can't go past
 22 2:00 today.
 23 MR. JEON: Yes.
 24 MR. HARVEY: It's a shame because
 25 I, probably, could have finished this if

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1
 2 ACKNOWLEDGEMENT
 3
 4 STATE OF CONNECTICUT)
 5 : ss
 6 COUNTY OF FAIRFIELD)
 7
 8
 9 I, MIYE CHON, hereby certify that I
 10 have read the transcript of my testimony,
 11 taken under oath, in my deposition on
 12 March 14, 2015; that the transcript is a
 13 true, complete and correct record of my
 14 testimony; and, that the answers on the
 15 record, as given by me, are true and
 16 correct.
 17
 18 _____
 19 MIYE CHON
 20
 21
 22
 23
 24
 25

| Page 206 | Page 207 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|--------------------|------------|--------------|------------|---------------------|--------|-------------|------|------------|------------|--------------|------------|---------------------|--------------|------------|------------|------------|------------|--------------|----------|---------------------|------------|---------------|------------|------------|--------------------|--------------|------------------|---------------------|------------|--------------------|-----|---|------------|--------------|---------------|---------------------|-------------------------------|-----|------------|--|------------|--------------|--|---------------------|--|--|--|
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| FOR ID | DESCRIPTION | PAGE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| EXHIBIT 91 | USDC Consent Order | 142 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <div style="text-align: right; padding: 5px;">Page 208</div> <div style="text-align: center;">CERTIFICATE</div> <p>STATE OF CONNECTICUT)</p> <p style="text-align: center;">: ss</p> <p>COUNTY OF FAIRFIELD)</p> <p>I, JOSEPH V. CONNOLLY, a Reporter and Notary Public, do hereby certify:</p> <p>THAT MIYE CHON, the Witness whose deposition is herein before set forth, was duly sworn by me and that such deposition is a true record of the testimony given by such Witness.</p> <p>I FURTHER CERTIFY that I am not related to any of the parties to this action by blood or marriage and that I am in no way interested in the outcome of this matter.</p> <p>IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of March, 2018.</p> <div style="text-align: right; margin-top: 20px;"> <hr style="width: 200px;"/> JOSEPH V. CONNOLLY REGISTRATION NO. 01C06174436 </div> | <div style="text-align: right; padding: 5px;">Page 209</div> <p>NAME OF CASE:</p> <p>DATE OF DEPOSITION:</p> <p>NAME OF WITNESS:</p> <p>Reason Codes:</p> <ol style="list-style-type: none"> 1. To clarify the record. 2. To conform to the facts. 3. To correct transcription errors. <table style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 20%;">Page _____</td> <td style="width: 20%;">Line _____</td> <td style="width: 20%;">Reason _____</td> <td style="width: 40%;"></td> </tr> <tr> <td colspan="4">From _____ to _____</td> </tr> <tr> <td>Page _____</td> <td>Line _____</td> <td>Reason _____</td> <td></td> </tr> <tr> <td colspan="4">From _____ to _____</td> </tr> <tr> <td>Page _____</td> <td>Line _____</td> <td>Reason _____</td> <td></td> </tr> <tr> <td colspan="4">From _____ to _____</td> </tr> <tr> <td>Page _____</td> <td>Line _____</td> <td>Reason _____</td> <td></td> </tr> <tr> <td colspan="4">From _____ to _____</td> </tr> <tr> <td>Page _____</td> <td>Line _____</td> <td>Reason _____</td> <td></td> </tr> <tr> <td colspan="4">From _____ to _____</td> </tr> <tr> <td>Page _____</td> <td>Line _____</td> <td>Reason _____</td> <td></td> </tr> <tr> <td colspan="4">From _____ to _____</td> </tr> </tbody> </table> <div style="text-align: right; margin-top: 20px;"> <hr style="width: 200px;"/> Signature of Deponent </div> | Page _____ | Line _____ | Reason _____ | | From _____ to _____ | | | | Page _____ | Line _____ | Reason _____ | | From _____ to _____ | | | | Page _____ | Line _____ | Reason _____ | | From _____ to _____ | | | | Page _____ | Line _____ | Reason _____ | | From _____ to _____ | | | | Page _____ | Line _____ | Reason _____ | | From _____ to _____ | | | | Page _____ | Line _____ | Reason _____ | | From _____ to _____ | | | |
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